

## **REMARKS**

The Office Action dated November 2, 2005 has been fully considered by Applicant.

Attached is a Request for Two-Month Extension of Time and a check in the amount of \$450 for payment of the Extension.

Attached herewith is a replacement Figure 1 having the legend "Prior Art" thereon as requested by Examiner Shepard. No new matter has been added.

Claims 1, 4, and 10 have been objected to because of informalities. Each of these claims has been amended to correct the informalities. Applicant appreciates the thorough examination of the application by Examiner Shepard.

Claims 1, 4, and 10 are currently amended. Claims 2-3, 6-9, and 11 have been previously presented. Claim 5 has been canceled. Claim 12 is new

Claims 1, 2, 3, 4, 5, 8 and 10 have been rejected under 35 USC 103(a) as being unpatentable over United States Patent No. 6,526,577 to Knudson et al. Claim 1 has been currently amended. Claims 2-5, 8 and 10 depend from claim 1. Applicant believes currently amended claim 1 is novel over the '577 Knudson et al patent and respectfully requests reconsideration of the rejection.

Claim 1 has been amended to include as a part thereof a television system including a broadcast data receiving for receiving data which is broadcast from a remote location. The data received and processed by the receiver includes video, audio and auxiliary data from which an electronic program guide is generated on a screen to provide information and facilitate user selection of programs for viewing. The broadcast data receiver includes a storage means in the form of a hard disc memory in which the video and/or audio data may be stored. The stored data may then be subsequently retrieved and displayed upon the selection of a program from the electronic program guide. Clearly these features are not found in the '577 Knudson et al patent.

The '577 patent to Knudson et al discloses a system for the display of movie clips to provide users with an opportunity to preview pay-per-view programs before ordering. However, Applicant's disclosures is directed toward a system wherein the downloading of video clips is onto a hard disc memory within the broadcast data receiver, which video clips can be subsequently displayed by selecting a corresponding program from an electronic program guide. According to Knudson et al, the video clip information would be stored in a video clip library within a main facility or at a program guide distribution facility. Therefore, the broadcaster in the '577 Knudson et al patent would directly stream the video clip data to be displayed to a user on screen, without storing the data for the video clip in advance. The suggestion of lines 64-66 of column 14 within Knudson et al that the video clip may be temporarily stored in a memory within the user's equipment is merely a reference to the temporary storage to allow the video clip to be displayed on screen. Therefore, this is not equivalent to the storage of the video clip in advance on the broadcast data receiver for subsequent retrieval by the user via the electronic program guide, as is disclosed in Applicant's invention. Knudson et al does separately disclose that the video clip may be stored but only for the purpose of sending the video clips using TV mail to another user. Therefore, Applicant believes that currently amended claim 1 is novel over the '577 Knudson et al patent.

Examiner Shepherd states that:

"Knudson does not disclose system with a memory means in which video and/or audio data may be stored for subsequent retrieval and display upon the selection of a program from the electronic program guide and to which a portion of the stored video and/or audio data relates. At the time of the invention it would have been obvious for one of ordinary skill in the art to store the preview video on the set top box. The motivation would have been to add the ability to send the preview clips to other subscribers, as a way to suggesting programs to them (column 14, lines 58-61)."

Applicant respectfully disagrees that it would be obvious to combine the storage of a single

video clip for sending via TV mail with the storage of video clip data for subsequent retrieval and display upon a user selection of a program from an electronic program guide. This is evident when one considers the amount of data which needs to be stored. Downloading a single video clip for sending via TV mail would take a number of seconds and such a delay would generally be considered acceptable by a user. However, when one considers that there are hundreds of programs referenced within an electronic program guide, it is clear that the downloading of all of the associated video and/or audio clips, as is performed in Applicant's invention, would take minutes if not hours to complete. There is no mention of the problem of downloading such data in Knudson. In addition, there is no mention in Knudson of how such a download could potentially be managed. Therefore, it is not understood how a person skilled in the art would use Knudson's invention to solve the problem of downloading of all of the associated video and/or audio clips from an electronic program guide for subsequent retrieval and display as found in Applicant's invention.

Further, Knudson et al only describes the provision of video clips in accordance with conventional techniques that require the video clips to be streamed to a user's set top box directly from a broadcaster for displaying. In Applicant's invention, the video and/or audio data is downloaded and stored in the broadcast data receiver's storage means for subsequent retrieval and display upon the selection of a program from the electronic program guide. Therefore, Applicant sincerely believe that currently amended claim 1, along with dependent claims 2-4, 6-11, is novel over the '577 Knudson et al patent and respectfully requests reconsideration of the rejection.

New claim 12 includes a television system which has a broadcast data receiver as a part thereof for receiving and processing data broadcast from a remote location including video, audio and auxiliary service via an on-screen display and speakers. An electronic program guide is

generated from the auxiliary data to provide information and facilitate user selection of programs for viewing at that instant or in the future. The receiver has a storage means in the form of a hard disc memory in which a sufficient portion of the video and/or audio data for a particular clips or trailers from each program in the electronic program guide is stored for subsequent retrieval and display upon user selection of a program from the electronic program guide to which a portion of the stored video and/or audio data relates.

New claim 12 is novel over the cited reference in that sufficient portions of the video and/or audio data for a particular clips or trailers from each program in the electronic program guide is stored in a storage means in the broadcast data receiver for subsequent retrieval and display upon a user selecting a program from the electronic program guide. Clearly, the Knudson et al patent does not provide for the storage of clips or trailers for each and every program available on the electronic program guide for subsequent retrieval by a user. Therefore, Applicant believes that new claim 12 is novel over the cited references.

Claim 6, 7, and 9 have been rejected under 35 USC 103(a) as being unpatentable over United States Patent No. 6,526,577 to Knudson et al in view of United States Patent No. 6,816,904 to Ludwig et al. Claims 6, 7 and 9 depend upon currently amended claim 1 and are believed novel over the cited references as stated herein.

Further, Applicant's invention avoids the need to receive data from the broadcaster every time a video clip is to be viewed. This is achieved by downloading the video clips relating to an electronic program guide in advance such that they can be displayed to a user without delay upon selection of the corresponding entry in an electronic program guide. Within the description of the present application it is further described that the required clips can be downloaded at a designated

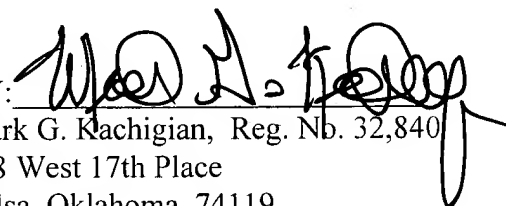
time interval, for example, when the broadcast data receiver is likely to be idle. In addition it is suggested that identification data can be provided which links an electronic program guide with the associated video data. Therefore, the electronic program guide can be updated as necessary by the broadcaster without the need to re-download all of the associated video clips. Whilst such features do not limit the scope of the claims within the present application, the absence of similar considerations within the Knudson document makes it clear that Knudson system does not operate in the same manner as the present invention.

It is believed that the application is now in condition for allowance and such action is earnestly solicited. If any further issues remain, a telephone conference with the Examiner is requested. If any further fees are associated with this action, please charge Deposit Account No. 08-1500.

Respectfully Submitted

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Dated: 27 March 2006

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